IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITIONS No. 8850 and 8851 of 2003

WRIT PETITION NO : 8850 of 2003

Between:

M/s.Kakkera Dasaiah and Co., Chilakaluripet, Guntur District, rep. by its Partner B.Chidambaram Babu.

..... PETITIONER

AND

Chilakaluripet Municipality rep. by it's Commissioner, Chilakaluripet, Guntur District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction especially in the nature of writ of mandamus declaring the action of the respondent in issuing demand notices dated 30.8.2001, 10.12.2001 and 27.11.2002 a issued for the three buildings of the petitioner herein bearing assessment Nos. 7107, 7108 and 7109 and present Assessment Nos. 9094, 9095 and 9096 and the consequential order of destraint warrant and attachment of the movable property of the petitioner and its tenant namely Central Warehousing Corporation on 29-4-2003 as illegal, arbitrary, withour jurisdiction, contrary to law, opposed to principles of natural justice and null and void and to direct the respondent not to proceed either to enhance or collect the property tax to the said buildings except according to due process of law.

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WRIT PETITION NO : 8851 of 2003

Between:

Indian Tobacco Suppliers Pvt. Ltd., Guntur District, rep. by its Director B.Chidambaram Babu.

..... PETITIONER

AND

Chilakaluripet Municipality rep. by its Commissioner, Chilakaluripet, Guntur District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction especially in the nature of writ of mandamus declaring the action of the respondent in issuing demand notices dated 30-8-2001, 10-12-2001 and 27-11-2002 a issued for the three buildings of the petitioner herein bearing assessment Nos. 7104, 7105 and 7106 and present Assessment Nos. 9091, 9092 and 9093 is illegal, arbitrary, without jurisdiction, contrary to law, opposed to principles of natural justice and null and void and to direct the respondent not to proceed either to enhance or collect the property tax to the said buildings except according to due process of law.

Counsel for the Petitioners in both the Writ Petitions : MR.MOVVA.CHANDRASHEKAR RAO

Counsel for the Respondent in both the Writ Petitions: Mr.D.Srinivas.

The Court made the following :

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COMMON ORDER : (per Sri Bilal Nazki, J)

Counsel for petitioners seeks permission to withdraw the Writ Petitions. Recording the same, both the Writ Petitions are dismissed as 'withdrawn'.

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(BILAL NAZKI, J)

22nd September, 2004.

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(S.ANANDA REDDY, J)

ajr

N.B.:-

Office shall place the copies of this order in respective

Bundles after the signatures of their Lordships.

To

1 The Commissioner, Chilakaluripet Municipality, Chilakaluripet, Guntur District.

2 Two C.D. copies.